IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK REYNOLDS : CIVIL ACTION

NO. 06-1237

V.

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THE UNIVERSITY OF PENNSYLVANIA

ORDER

AND NOW, this 27th day of January, 2010, in consideration of defendant's motion for judgment as a matter of law or, alternatively, for a new trial, plaintiff's response, defendant's reply and oral argument, it is hereby ORDERED that the judgment entered October 6th, 2009 is VACATED. It is FURTHER ORDERED that defendant's motion for judgment as a matter of law is DENIED and defendant's alternative motion for a new trial is GRANTED.

Trial is SCHEDULED for Monday, March 15, 2010 at 10:00am in Courtroom 4A. Any motions in limine or other matters requiring the court's attention should be filed by February 16, 2010.

/s/ THOMAS N. O'NEILL, JR. THOMAS N. O'NEILL, JR., J.